

**UNITED STATES BANKRUPTCY COURT  
Eastern District of Texas**

Sherman (Plano)  
Suite 300B  
660 North Central Expressway  
Plano, TX 75074

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In Re: Gerald Wallace Dyer  
Debtor

Bankruptcy Case No.: 08-42815  
Chapter: 7

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**ORDER FIXING LAST DATE FOR FILING PROOFS OF CLAIMS COMBINED WITH NOTICE  
THEREOF**

TO THE CREDITORS OF THE ABOVE-NAMED DEBTOR:

Notice having been previously given that creditors of the above-named debtor(s) were not required to file proofs of claims and it now appearing that a possible dividend may be declared for creditors at a later date, it is

**ORDERED AND NOTICE IS HEREBY GIVEN THAT 3/2/09**  
is hereby fixed as the last date for the filing of proofs of claim by any creditor of the above-named debtor(s) who desires to have his claim allowed so that he may share in any distribution to be paid from the estate. Creditors must file a claim, whether or not they are included in the list of creditors filed by the debtor(s), no later than the date above fixed or their claim will not be allowed, except as otherwise provided by law. Claims may be filed in the office of the undersigned Clerk on the official form prescribed for proofs of claim, a copy of which is included with this notice.

You are further notified that if a distribution is to be declared for creditors, it will not be made until conclusion of the administration of this estate by the trustee. At a later date, you will be given notice of the filing of the final report of the trustee, applications for compensation and the proposed distributions which may include a possible dividend to creditors.

Proof of Claim Deadline for Governmental Units is  
**5/30/09**

Dated: 12/1/08

Jeanne Henderson,  
Clerk  
U.S. Bankruptcy Court

MAIL ORIGINAL PROOFS OF CLAIM TO:

Suite 300B  
660 North Central Expressway  
Plano, TX 75074

**\*\*\* ANY CLAIMANT WHO HAS PREVIOUSLY FILED A CLAIM IN THESE PROCEEDINGS IS NOT  
REQUIRED TO RE-FILE SAME AND MAY DISREGARD THIS NOTICE. CLAIMANTS ARE STRONGLY  
ENCOURAGED TO USE THE CLAIM FORM INCLUDED WITH THIS NOTICE.**

Gerald Wallace Dyer II

08-42815



<b>UNITED STATES BANKRUPTCY COURT Eastern District of Texas</b>		<b>PROOF OF CLAIM</b>
Name of Debtor: Gerald Wallace Dyer II		Case Number: 08-42815
NOTE: <i>This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property):		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim.  <b>Court Claim Number:</b> _____ <i>(If known)</i>  Filed on: _____
Name and address where notices should be sent:		
Telephone number:		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
Telephone number:		
<b>1. Amount of Claim as of Date Case Filed:</b> \$ _____  If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.  If all or part of your claim is entitled to priority, complete item 5.  <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		<b>5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.</b>  Specify the priority of the claim.  <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).  <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. §507 (a)(4).  <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507 (a)(5).  <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507 (a)(7).  <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507 (a)(8).  <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).  <b>Amount entitled to priority:</b>  \$ _____  <i>*Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>
<b>2. Basis for Claim:</b> _____ (See instruction #2 on reverse side.)		
<b>3. Last four digits of any number by which creditor identifies debtor:</b> _____  <b>3a. Debtor may have scheduled account as:</b> _____ (See instruction #3a on reverse side.)		
<b>4. Secured Claim</b> (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.  <b>Nature of property or right of setoff:</b> <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <b>Describe:</b>  <b>Value of Property:</b> \$ _____ <b>Annual Interest Rate</b> ____ %  <b>Amount of arrearage and other charges as of time case filed included in secured claim,</b> <b>if any:</b> \$ _____ <b>Basis for perfection:</b> _____  <b>Amount of Secured Claim:</b> \$ _____ <b>Amount Unsecured:</b> \$ _____		
<b>6. Credits:</b> The amount of all payments on this claim has been credited for the purpose of making this proof of claim.  <b>7. Documents:</b> Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. <i>(See instruction 7 and definition of "redacted" on reverse side.)</i>  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:		
<b>Date:</b>	<b>Signature:</b> The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.	
		<b>FOR COURT USE ONLY</b>

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.*

**Items to be completed in Proof of Claim form****Court, Name of Debtor, and Case Number:**

Fill in the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the bankruptcy debtor's name, and the bankruptcy case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is located at the top of the notice.

**Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

**1. Amount of Claim as of Date Case Filed:**

State the total amount owed to the creditor on the date of the Bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

**2. Basis for Claim:**

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if the trustee or another party in interest files an objection to your claim.

**3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:**

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

**3a. Debtor May Have Scheduled Account As:**

Use this space to report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

**4. Secured Claim:**

Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See DEFINITIONS, below.) State the type and the value of property that secures the claim, attach copies of lien documentation, and state annual interest rate and the amount past due on the claim as of the date of the bankruptcy filing.

**5. Amount of Claim Entitled to Priority Under 11 U.S.C. §507(a):**

If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See DEFINITIONS, below.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

**6. Credits:**

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

**7. Documents:**

Attach to this proof of claim form redacted copies documenting the existence of the debt and of any lien securing the debt. You may also attach a summary. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary. FRBP 3001(c) and (d). If the claim is based on the delivery of health care goods or services, see instruction 2. Do not send original documents, as attachments may be destroyed after scanning.

**Date and Signature:**

The person filing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2), authorizes courts to establish local rules specifying what constitutes a signature. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

**DEFINITIONS****Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

**Creditor**

A creditor is a person, corporation, or other entity owed a debt by the debtor that arose on or before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

**Claim**

A claim is the creditor's right to receive payment on a debt owed by the debtor that arose on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

**Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

**Secured Claim Under 11 U.S.C. §506(a)**

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car.

A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

**Unsecured Claim**

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

**Claim Entitled to Priority Under 11 U.S.C. §507(a)**

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted**

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor should redact and use only the last four digits of any social-security, individual's tax-identification, or financial-account number, all but the initials of a minor's name and only the year of any person's date of birth.

**Evidence of Perfection**

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**INFORMATION****Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system ([www.pacer.psc.uscourts.gov](http://www.pacer.psc.uscourts.gov)) for a small fee to view your filed proof of claim.

**Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

# CERTIFICATE OF NOTICE

District/off: 0540-4  
Case: 08-42815

User: kempj  
Form ID: 895

Page 1 of 2  
Total Served: 41

Date Rcvd: Dec 01, 2008

The following entities were served by first class mail on Dec 03, 2008.

db +Gerald Wallace Dyer, II, 10394 Dyer Road, Sanger, TX 76266-6034  
tr +Mark A. Weisbart, The Law Offices of Mark A. Weisbart, 12770 Coit Road, Suite 541,  
Dallas, TX 75251-1366  
cr +Capital One Auto Finance, P. O. Box 829009, Dallas, TX 75382-9009  
cr +DaimlerChrysler Financial Services Americas L.L.C., Bassel & Wilcox, P.O. Box 11509,  
Fort Worth, TX 76110-0509  
cr +Denton County, Michael Reed, P O Box 1269, Round Rock, TX 78680-1269  
5235582 +Attorney General of Texas, Taxation Division Bkrpcy, Box 12548, Capitol Station,  
Austin TX 78711-2548  
5235583 +Attorney General of the US, Department of Justice, Tenth & Constitution Avenues,  
Washington DC 20530-0001  
5235584 +Becket and Lee, PO Box 3001, Malvern PA 19355-0701  
5235591 +CNH Capital, 233 Lake Avenue, Racine WI 53403-1015  
5235592 CTI, PO Box 4783, Chicago IL 60680-4783  
5235593 +CU Members Mortgage, PO Box 2988, Fort Worth TX 76195-0001  
5235588 +Citibank, Attn Centralized BKTCY, PO Box 20507, Kansas City MO 64195-0507  
5235589 City of Sanger Tax Collector, c/o Denton County Tax Collector, PO Box 90204,  
Denton TX 76202-5204  
5235590 Client Services Inc, PO Box 1503, Saint Peters MO 63376-0027  
5235594 Denton County Tax Collector, PO Box 90204, Denton TX 76202-5204  
5235596 E Glenn Gidel, Attorney at Law, River Plaza Tower, 1701 River Run Road Suite 1015,  
Fort Worth TX 76107-6556  
5235597 +Farm Bureau Bank, 17300 Henderson Path, San Antonio TX 78232-1663  
5235598 FirstSource Advantage LLC, PO Box 628, Buffalo NY 14240-0628  
5235599 +Fridge & Rescendez LLC, Riverview Towers, 111 Soledad Street Suite 1700,  
San Antonio TX 78205-2229  
5235600 +Frost National Bank, c/o Fridge & Rescendez LLC, Riverview Towers,  
111 Soledad Street Suite 1700, San Antonio TX 78205-2229  
5235602 +Gerald Wallace, 10394 Dyer Road, Sanger TX 76266-6034  
5235604 +James B Odom, 6717 Calmont, Fort Worth TX 76116-4203  
5235605 +John R Resendez, c/o Fridge & Rescendez LLC, Riverview Towers,  
111 Soledad Street Suite 1700, San Antonio TX 78205-2229  
5235606 Lone Star FLCA, PO Box 1569, San Antonio TX 78296-1569  
5235607 +NCO Financial Systems Inc, PO Box 15081, Wilmington DE 19850-5081  
5235608 Sanger ISD Tax Collector, c/o Denton County Tax Collector, PO Box 90204,  
Denton TX 76202-5204  
5235609 +State Comptroller of, Public Accounts, Capitol Station, Austin TX 78774-0001  
5235610 T D Disheroon, c/o E Glenn Gidel, River Plaza Tower, 1701 River Run Road Suite 1015,  
Fort Worth TX 76107-6556  
5235613 +TSYS Debt Management, PO Box 5155, Norcross GA 30091-5155  
5235612 +Tractor Supply Credit Plan, PO Box 6497, Sioux Falls SD 57117-6497  
5235616 +++US DEPARTMENT OF HUD, HOUSING & URBAN DEVELOPMENT, 801 CHERRY ST UNIT 45,  
FORT WORTH TX 76102-6882  
(address filed with court: US Department of HUD, Housing & Urban Development,  
801 Cherry Street #2500, Fort Worth TX 76102-6803)  
5235614 +United States Attorneys Office, 110 North College Avenue, Suite 700, Tyler TX 75702-7237  
5235615 United States Trustees Office, 110 North College Avenue, Suite 300, Tyler TX 75702-7231

The following entities were served by electronic transmission on Dec 02, 2008.

tr +EDI: BMAWEISBART.COM Dec 02 2008 05:08:00 Mark A. Weisbart,  
The Law Offices of Mark A. Weisbart, 12770 Coit Road, Suite 541, Dallas, TX 75251-1366  
5235581 +EDI: BECKLEE.COM Dec 02 2008 05:08:00 American Express, c/o Becket and Lee, PO Box 3001,  
Malvern PA 19355-0701  
5235585 +EDI: CAPITALONE.COM Dec 02 2008 05:08:00 Capital One, c/o TSYS Debt Management,  
PO Box 5155, Norcross GA 30091-5155  
5235586 +EDI: CHASE.COM Dec 02 2008 05:08:00 Chase Bank One, Attention Bankruptcy Dept,  
PO Box 100018, Kennesaw GA 30156-9204  
5235587 +EDI: CHRYSLER.COM Dec 02 2008 05:08:00 Chrysler Financial, 5225 Crooks Road, Suite 140,  
Troy MI 48098-2823  
5235588 +EDI: CITICORP.COM Dec 02 2008 05:08:00 Citibank, Attn Centralized BKTCY, PO Box 20507,  
Kansas City MO 64195-0507  
5235595 +EDI: DISCOVER.COM Dec 02 2008 05:08:00 Discover Financial, Attention Bankruptcy Depart,  
PO Box 3025, New Albany OH 43054-3025  
5235601 +EDI: RMSC.COM Dec 02 2008 05:08:00 GE Money Bank, Attention Bankruptcy Depart,  
PO Box 103106, Roswell GA 30076-9106  
5235603 EDI: IRS.COM Dec 02 2008 05:08:00 Internal Revenue Service, PO Box 21126,  
Philadelphia PA 19114  
5235611 +E-mail/Text: redpacer@twc.state.tx.us Texas Employment Commission,  
TEC Building, Tax Department, Austin TX 78778-0001

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Lone Star, FLCA

TOTALS: 1, \* 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

District/off: 0540-4  
Case: 08-42815

User: kempj  
Form ID: 895

Page 2 of 2  
Total Served: 41

Date Rcvd: Dec 01, 2008

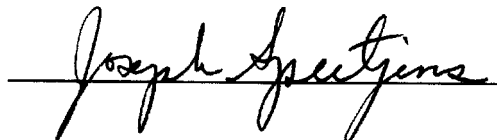
\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 03, 2008

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.